



March 16, 2022

Via Electronic Filing

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: WC Docket Nos. 21-450, 20-445 – Comments of the California Emerging Technology Fund on the Further Notice of Proposed Rulemaking on the Implementation of the Affordable Connectivity Program contained in FCC-CIRC22-450-010722

Dear Secretary Dortch:

In accordance with Section 1.419 of the Commission's Rules, the California Emerging Technology Fund ("CETF") hereby files comments on the Wireline Competition Bureau's Further Notice of Proposed Rulemaking, contained in the Report and Order and Further Notice of Proposed Rulemaking ("Further Notice") in the dockets referenced above. CETF greatly appreciates the opportunity to comment on the structure and objectives for an outreach partner grant program relating to the Affordable Connectivity Program ("ACP"), given its deep expertise in this area.

As background, CETF is a 501(c)(3) public benefit foundation dedicated to closing the Digital Divide in California. CETF has participated in various FCC proceedings in the past including in Lifeline, broadband policy, and some corporate consolidation proceedings involving broadband companies. CETF has been a past grantee from the American Recovery and Reinvestment Act ("ARRA") for digital adoption programs and has provided grants to over 150 community-based organizations ("CBOs") to perform digital adoption and digital inclusion projects in the State of California. CETF and its 19 partners successfully completed its ARRA grants.

CETF points out that the Digital Divide must be closed in Los Angeles, California to close the Digital Divide in the nation, due to the sheer number of unconnected households in Southern California. CETF has put a focus on this area over the years.

California is a large state with diverse unserved and underserved populations and more low-income people than of any state, yet CETF assures the Commission that the people of the Golden State have the will to achieve 5 million ACP enrollments.

In our view, the priority communities for outreach include low-income individuals who are people of color, Tribal nations, seniors, people with disabilities, immigrants, limited-English speaking communities, the unhoused, foster youth, and those low-income persons who live in urban, rural and remote communities. Since 2009, CETF and its grantees have assisted more than 500,000 such persons in obtaining Home Internet service and helped more than 1 million people improve their digital literacy competence. As a result, CETF knows what it takes to run successful Digital Adoption grant programs and is pleased to share its extensive expertise with the Commission.

I. Comments on Further Notice Topic of Structuring an Outreach Grant Program

Re paragraphs 270-272 of the Further Notice, CETF strongly supports the establishment of an outreach grant program to make eligible households aware of and informed about the Affordable Connectivity Program. CETF concurs in the FCC's observation in paragraph 271 that certain segments of ACP eligible households currently have low participation rates. CETF is pleased that the Infrastructure Act delineates that the FCC is to facilitate consumer research, conduct focus groups, engage in paid media campaigns, provide grants to outreach partners, and provide an orderly transition from the EBB program to the ACP. Thus, the FCC may use five outreach tools to encourage households to enroll in the ACP: (1) advertising; (2) engaging federal agencies (and their partners) with programs that make those participants eligible for ACP;¹ (3) implementing a grant program specifically for ACP outreach and enrollment; (4) compelling ISPs participating in the ACP to assist the FCC in advertising and enrolling consumers in the ACP program; and (5) measuring the outcomes in a studied manner that will help inform the Commission of successful outreach practices.

CETF emphasizes how it is essential for the FCC to determine the outcomes (for example, the number of ACP enrollments and subscriptions with ACP discounts), to set goals for itself, and to require goals to be set for participating Internet Service Providers ("ISPs"), other federal agencies, partners and all ACP outreach grantees.

¹ CETF points out that the Infrastructure Act requires Federal Agencies update their System of Record Notices to ensure that a household that participates in any program that qualifies the household for the ACP is provided information about the ACP program including how to enroll in the program. Section 60502(a)(10)(B) of the Act.

The FCC also should ensure consumers are educated about their options. ACP is a direct result of the prior Emergency Broadband Benefit (“EBB”) which was established during the COVID-19 pandemic to ensure low-income households have options for robust Internet options so multiple members of a household that needed to use broadband simultaneously for distance learning or telework could do so without degraded service. ACP is the next step toward Digital Equity so that the country’s poor are not relegated to second class, low quality broadband service.

ACP is an outstanding milepost towards Digital Equity. Now low-income households can afford access to more than just one mobile phone with 6 Gigabits (GBs) of data provided through the Lifeline program. For a single person, a mobile phone with data may be a good fit, but for a multi-person household, it is likely not adequate for their needs. Like other wealthier Americans, they may obtain a mobile phone with data and a computing device with Home Internet which gives the households more options. Consider the mother CETF heard from that said she used her EBB discount for a hotspot from her phone and realized when she returned to the office that the phone and hotspot went with her. This left her children unable to engage in distance learning at home. CETF is concerned that most users applied their ACP benefits to mobile phone data which generally have limited data (e.g., 6-9 GBs). The ACP provides new more robust options for consumers, especially Lifeline consumers who up to now are traditionally limited to one Lifeline benefit per household.

CETF encourages the FCC to track statistics on the ACP users: (1) how many consumers with ACP for the first time have a Home Internet subscription; (2) consumers who have a home Internet subscription today but need help paying for it, and (3) consumers using the ACP benefit for data on their Lifeline mobile phones. Having ACP and Lifeline enables multi-person households to approach Digital Equity, in the number of devices in households. CETF urges the FCC to emphasize the importance of the ACP device benefit in outreach efforts. The reason is that there is a large difference in device ownership when looking at income. Wealthier households tend to have many more computers and tablets than low-income households.²

CETF recommends that the FCC test advertising messages to see what is the most effective for the ACP program. Below are a few key advertising messages CETF is testing to educate low-income consumers about their ACP options:

² See Affordability and the Digital Divide, EveryoneOn and John B. Horrigan, PhD, Dec. 2021, at page 19, table 7, and at page 18, Table 5.

1. **Mobile Phone – Use Lifeline Benefit.** It's convenient, works on home WiFi so you save data for when you are mobile.
2. **Home Broadband – Use ACP.** More data, faster, multiple users can use Internet at the same time, school/work user friendly.
3. **You can have both a mobile phone and Home Internet.** The data caps are much higher on Home Internet, save your mobile data for when you are out.

Advertising is a major outreach tool that the IIJA allows the FCC to use. CETF has run various advertising campaigns about affordable broadband offers and provides grants to nonprofit organizations to answer these inbound calls. The call center staff assists the caller in learning about affordable broadband offers in the caller's geographic area and assist that caller with sign-up and obtaining a low-cost computer device if necessary. The key to a successful advertising is the ability to send callers to organizations that can help them enroll and obtain a low cost device, if necessary, while the program manager (which would be the FCC for ACP) tracks advertising results and manages the ad buys. CETF manages a distributed call center that utilizes community-based organizations. In this scenario, the FCC can contract for the call center capacity or could provide funds to support an existing call center operation experienced in Digital Adoption. If a state can handle the call volume and already has a Digital Adoption call center, the FCC could program its call management system to send callers from these states to these established call centers. California callers, for example, can be routed to the California call system CETF manages which is run by CBOs experienced and trained in digital adoption.

In California, CETF provides grants to nonprofit organizations to assist households that call as a result of the advertising CETF does concerning affordable Internet services and the federal subsidy. CETF established an interactive voice system (IVR) that CETF programs based on the caller's ZIP code to be routed to the appropriate community-based organizations throughout the state.

In November 2021, Los Angeles County asked CETF to collaborate with it to advertise the EBB program, as CETF has operated a public awareness Digital Divide program on a limited scale for a few years. The advertising firm, SAESHE, adapted CETF collateral for the campaign and launched the EBB advertising effort on December 6, 2021. After only three weeks of a targeted ad campaign, Los Angeles County EBB enrollment increased by 43%. This is an example of a successful partnership between

a local agency and nonprofit organization that is deeply experienced in digital adoption issues.³

Additionally, the Commission should engage an advertising strategies and conduct focus groups to learn the best messaging for the ACP program. The tactics need to include paid advertising on mainstream and ethnic-owned media, TV, radio stations, and social media. When considering target communities, the Commission should be inclusive of low-income communities, immigrants, seniors, Tribal Nations, people with disabilities, foster youth, and people who are unhoused.

The IIJA requires ISPs participating in the ACP to advertise. While it does not detail advertising tactics, the Act does *not* specify public relations type activities by such ISPs which should not be allowed.

CETF suggests that the FCC can make a compelling case about the efficiency and cost-effectiveness of ISPs contributing funds to the FCC's advertising program to meet this requirement. The transition to Digital TV is a solid model, where broadcasters contributed public service advertising to educate impacted viewers. After all, the ACP makes the ISPs financially whole for the ACP \$30 discount, and advertising its services is normally part of an ISP's cost structure. The FCC can recommend a sliding scale for contributions depending on ISP revenue size.

Another key outreach tool named is engaging federal agencies with programs targeted to persons who are ACP-eligible.⁴ CETF recommends extending outreach to the counterparts of these federal agencies at the state and local level and their outreach partners. The federal agencies include those that operate Medicaid, Supplemental Nutrition Assistance Program ("SNAP") and the CEP School Designation by the National School Lunch Program ("NSLP"). CETF defines "partners" as other organizations that have programs used in the eligibility process like electric and gas utilities with various Lifeline and energy savings programs serving low-income households. In California, the Investor-Owned Utilities (IOUs) maintain a list of low-income programs on their websites that include Lifeline and ACP. Some IOUs

³ CETF urges the FCC to review this weblink which summarizes the successful outreach in Los Angeles County conducted by CETF on EBB in November – December 2021.
<https://www.cetfund.org/how-los-angeles-county-is-boosting-broadband-subsidy-enrollment/>

⁴ Section 60502(a)(10) of the IIJA names federal agencies that are required to participate by providing notice to households participating in that agency's program that qualifies the household for ACP. CETF recommends that such federal agencies not only should perform outreach to such households but should be provide information on how to enroll and provide call center information.

voluntarily send mailers and bill insert messages that include information about ACP. In fact, since it began in August 2021, the consumer information sent by the IOUs resulted in an average of 1,800 page visits each month and 400 calls per month. In the Los Angeles County example, County departments distributed more than 400,000 flyers during the 3-week promotion of EBB.

The IJIA wisely establishes a grant program for ACP outreach which CETF strongly supports. These outreach programs should be carefully crafted to use experienced Digital Adoption nonprofit organizations that understand what it takes to assist an unconnected household to not only learn about the ACP program, *but actually assist that unconnected household in being successfully signed up for ACP and a qualifying retail broadband plan and, if necessary, obtaining an Internet-enabled connected device for the household and providing basic digital literacy training.* CETF recommends a minimum of two years' experience performing Digital Adoption and Digital Literacy training to qualify as an ACP grantee or subgrantee. The National Digital Inclusion Alliance ("NDIA") supports an outreach grant program, and suggests that outreach partners be those with a proven track record of effectively communicating with their communities.⁵ Los Angeles County recommends the Commission consider awarding grants to local governments, including counties, cities, and other entities, to develop hyper-local campaigns.⁶ CETF strongly supports both positions, underscoring the importance of the Commission to adopt outreach policies for target communities by outreach community groups that are trusted by the communities they serve.

Outreach can take many forms. In establishing an outreach program, the Commission should provide grants to experienced digital adoption nonprofit organizations that consider the unique needs of low-income, marginalized, and historically underserved communities. In doing so, the FCC needs to prioritize grant proposals targeting high need communities that use one or more of these tactics: advertising that is in sync with the FCC's ACP campaign, proposals that have "boots on the ground," and partnerships with local agencies that serve eligible populations like the SNAP and Medicaid programs.

It is CETF's experience that a number of client meetings are required to educate and coach unconnected customers through ACP enrollment, and ISP sign-up. This is not a simple matter of advertising the program but requires multiple meetings of coaching and follow up. Further, digital literacy training takes time. The Commission must then provide adequate resources to outreach grantees that conduct in-language,

⁵ National Digital Inclusion Alliance ACP Comments, at pp. 17-18.

⁶ Los Angeles County ACP Comments, at p. 6.

culturally competent outreach to maximize FCC advertising and enrollment in the ACP program and ISP sign-up.

Potential applicants need a clear understanding of what the desired outcome and the metrics to track along the way. CETF defines the outcome as a full adoption and pays between \$250 and \$350 per adoption. Grantees that are able to complete adoptions for \$250 must assure proficiency for Elements 1 and 2 in the UNESCO Framework discussed below in the next paragraph. Grantees that are able to complete Element 3 are compensated at \$350 per adoption. A “full adoption” occurs when your program addresses community awareness, computing device access, FCC subsidy, Internet connectivity, and digital literacy. Applicants are encouraged to think about how they can bring residents to a full Adoption, either as an individual organization or in collaboration with another organization. We ask that organizations collaborating on an application submit a single application and identify which organization is the lead and which organization is a sub-grantee. The difference in compensation is based on the level of competency a client achieves.

CETF and its grantees have trained more than 1 million Californians in various digital literacy components. It is essential the Commission understand and compensate CBOs for the variety of topics needed while being consistent as what it will pay for in digital literacy training. To this end CETF offers the following framework for the Commission’s consideration. The FCC should consider adopting a [Digital Literacy Framework and Self-Assessment](#) such as the ‘Overview of Digital Literacy’ at the link provided which includes the Self-Assessment: <https://www.cetfund.org/action-and-results/public-policy-initiatives/digital-literacy/> This will provide grantees the guidance about what skills a client needs and the Commission will have way to know how much of what training is being completed for the funding. This way a CBO can choose how to deliver the training, choose the curriculum they think is best for their clients, and the FCC Staff does not need to use its time to review every proposed training material by applicants and grantees. This type of Framework and Self-Assessment enables the Commission and grantees to be on the same page about what training levels and skills are offer.

The above framework consists of 6 elements that correspond to the UNESCO Framework. CETF considers the first 3 Elements (Access, Manage, Integrate) foundational for Digital Literacy training for unconnected residents and the second 3 Elements (Evaluate, Create, Communicate) as integral to Education and Workforce Training Programs with STEM (Science, Technology, Engineering, and Math) and/or ICT Skills curricula. UNESCO published a new rubric of Digital Literacy Competencies. The UIS UNESCO Competencies Framework delineates 5

Competence Areas for each element and related Competencies for use worldwide in training and certification programs. CETF incorporated the new Competencies Framework into an updated Self-Assessment Tool structured with 5 Questions for each of the 3 Elements to focus on the 15 most essential skills with a 5-point rating scale for sufficient diagnosis and differentiation of Digital Literacy proficiency to appropriately group participants for workshops and tailor training. Using this framework will provide grantees the guidance about what skills a client needs to be able to do for the funding. Additionally, the Commission will have the added confidence in knowing clients are on a path that can lead to workforce skills and continued learning based on the client's interest. The proposed compensation is generous; however, needs flexibility for grantees to meet the clients where they are today. Programs requiring clients sit for 6 hours of basic training unless the self- assessment indicates they need less training. CETF recommends compensating CBOs for a Digital Literacy skill proficiently completed based on a common self-assessment, not based only on offers or enrollments.

The fifth tool -- measuring the success of the approaches -- is required to avoid waste, fraud and abuse. CETF supports the continuous effort of USAC to simplify the application process and shorten the approval time. It is imperative that the advertising campaign have goals with metrics and that each grantee have goals, metrics and outcomes. Examples that may seem basic are worth stating:

- (1) Number of ACP enrollments for people that have never had Home Internet;
- (2) Number of ACP enrollments for people that have never had a mobile phone;
- (3) Number of ACP enrollments for people that have used their benefit for Home Internet;
- (4) Number of ACP enrollments for people that have used their benefit for mobile phone data;
- (5) Number of ACP enrollments for people that participated in digital literacy and improved their competency (establish ranges); and
- (6) Number of ACP enrollments for people that participated in digital literacy training beyond the Introductory training categorized by method and time (self-paced, live virtual (Zoom) and in-person).

Re paragraphs 272-273, CETF leaves that topic to be addressed by other parties.

Re paragraph 274, CETF posits that the duration of the grants should last a minimum of two years and can be renewed with minimum paperwork for two more years, if the applicant is successful achieving ACP enrollments and the full adoption.

The longer-term frame ideally means a grantee can optimize performance. CETF does not recommend one-year grants as they are too short in duration and end up more costly to administer.

Concerning the overall budget for the ACP outreach grant program, CETF would point to the FCC's national effort to transition from Analog to Digital TV. The NTIA received \$5 million "for consumer education concerning the digital transition and the availability of the digital-analog converter box program."⁷ \$5 million was not sufficient in promoting DTV transition awareness and action for television users until the National Associations of Broadcasters and the National Cable Telecommunications Association dedicated \$897 million in consumer education campaigns on the digital transition, allowing for more far-reaching, effective and efficient DTV education. Like DTV transition, this is a national program in scope. Thus, CETF suggests an ACP outreach budget of \$450 million, roughly half of what was spent on the Digital TV transition. The Commission can determine how much funds it will provide and encourage the ISPs (mobile and fixed) participating in the ACP program to contribute to a \$20 million media campaign. After all, ISPs benefit from the ACP revenues and the Act requires participating ISPs to advertise.

Re paragraph 275, CETF suggests these other tools to increase the effectiveness of program outreach efforts: (1) participate in community events like fairs or markets where target communities will be to enroll attendees, not just hand out flyers; (2) implement an active social media campaign using "Digital champions" and digital inclusion groups to promote the program. CETF has found for example the Social Press Kit (<https://thesocialpresskit.com/dashboard>) very helpful tool for providing social to stakeholders in a way they can use as is or customize; (3) purchase advertising on broadcast television and cable outlets and the stations will contribute opportunities for media interviews and additional times to run the ads; (4) engage with NARUC state commissioners to enlist the help of state Commissioners and staff from public utilities agencies in posting on their low-income oriented websites and volunteer for interviews; (5) engage governors, mayors and school board members to promote the campaign and join media interviews on local stations.

Re paragraph 276, CETF does not favor private, for-profit companies being eligible entities for outreach grants. CETF recommends that community-based organizations, local, state and national organizations with two to five years of experience be prioritized as grant recipients. In addition, outreach tactics should be reported in detail: date, location, outreach tactic used and any measurable results. All grant recipients should have a proven track record of effectively communicating with

⁷ Digital Television: An Overview, <https://www.everycrsreport.com/reports/RL31260.html>

their target eligible communities. Subgrantees definitely should be allowed to receive outreach grant funds, but the main grantees must be responsible for the requirements of the grant, and for reporting the results of the grant. CETF has had success in supporting collaborations with CBOs as subgrantees in our many digital adoption grant programs through the years.

Re paragraph 278, CETF again underscores the importance in the Commission awarding grant funding to outreach partners that are experienced in digital adoption issues and have a proven track record of effectively communicating with their communities. The Commission should cast a wide net by ensuring outreach to low-income communities, people of color, immigrants, seniors, Tribal Nations, people with disabilities, people who are unhoused, foster youth and young adults, and even those residing in shelters for victims of domestic or other abuse. CETF urges the Commission to prioritize awarding grant funding to organizations that meet these criteria and demonstrate ability to complete a full adoption as part of the ACP program.

CETF has established that an Adoption addresses the three barriers for low-income households based in 2013 research by John Horrigan, Ph.D: (1) cost (both for the Home Internet service and a computing device); (2) relevance (the reason why outreach in-language and in-culture by “trusted messengers” is essential to explain why the household will benefit from being connected at home to the Internet); (3) Digital Literacy (training the household in how to use the computer and navigate the Internet). Therefore, introductory digital literacy for base functionality is embedded in Adoption. However, as many of CETF’s grantee partners know, there is more digital literacy training needed and desired by adopters to become sufficiently proficient to use the technology to optimize saving time and money. Thus, CETF supports an approach that requires an Adoption for all grants but allows grantees to secure more funding for additional digital literacy with standardized outcomes based on the UNESCO Digital Literacy Framework and Self-Assessment for accountability, discussed above.

Re paragraph 279, CETF posits that the critical metric for digital adoption programs must be to achieve an adoption, which is to actually sign up a subscriber to receive an ACP discount and with appropriate broadband service at home. This work requires all of the following aspects: explaining the ACP benefits and options for broadband service at home; assisting with choosing an available qualified plan in the subscriber’s area; assisting the subscriber in obtaining a low-cost computing device, if necessary, from either the ISP or another source such as a computer refurbisher; and assisting the new subscriber with technical assistance and providing introductory training for digital literacy (e.g. how to set up and use the computer, how to set up an email address, set a secure password, access email, and other computer basics).

CETF has found that if an outreach program is solely focused on merely “spreading the word” about affordable offers, it does not meet an unconnected user’s many needs or efficiently move the needle of digital adoption. This is why it is critical that ACP grantees have significant experience in not only efficient outreach, but experience that is consistent with digital adoption assistance for consumers.

Re paragraph 287, CETF strongly recommends that the Commission cast a wide-net to include considerations for low-income communities, immigrants, seniors, Tribal Nations, people with disabilities, and people who are unhoused. For help incorporating environmental and social justice (“ESJ”) considerations into the ACP, CETF recommends reviewing the California Public Utility Commission’s ESJ Action Plan.⁸ CETF recommends that the Commission consider the following:

- Do not adopt overly strict measures that make enrolling and engaging in ACP difficult for school districts, schools, and parents while discouraging waste, fraud and abuse;
- Explicitly include homeless centers as eligible for support under multiple dwelling unit (“MDU”) provisions. The MDU definition and eligibility should include multi-family serving organizations and local government entities that purchase in bulk;
- Require participating providers to actively advertise and promote ACP by working with the FCC and grantees as partners. Outreach partners should be experienced, community-based organizations that conduct culturally sensitive, in-language outreach in targeted low-income and disadvantaged communities.

The Commission and providers should work closely with experienced, trusted community-based organizations as outreach partners. In addition to outreach, it must be the goal to enroll low-income and disadvantaged populations through sustained assistance. Engagement and outreach should be performed in the context of the affected populations and should include in-language information that takes the needs of the community into consideration. The Commission should engage in a media strategy and conduct focus groups to learn the best advertising tactics and messaging, considering factors such as digital literacy, social media trends, relevant media, and other relevant factors that may be local.

⁸ CPUC, Environmental and Social Justice Action Plan, <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/news-and-outreach/documents/news-office/key-issues/esj/environmental-and-social-justice.pdf>

CETF appreciates the opportunity to file comments with the Commission on the important ACP outreach program.

Sincerely yours,

/s/ Sunne Wright McPeak

Sunne Wright McPeak
President and CEO

/s/ Susan E. Walters
Susan E. Walters
Senior Vice President

California Emerging Technology Fund

Mailing Address

P.O. Box 5897
Concord, California 94524

Office Address

2151 Salvio Street, Suite 252
Concord, California 94520

<mailto:sunne.mcpeak@cetfund.org>

susan.walters@cetfund.org

/s/ Rachelle Chong

Rachelle Chong
Special Counsel to CETF
Law Office of Rachelle Chong
345 West Portal Avenue, Suite 110
San Francisco, California 94127
rachelle@chonglaw.net